

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
POD08-009, Log No. 08-00-002

July 31, 2008

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
☐

NO
☐

NOT APPLICABLE/EXEMPT
☒

Discussion:

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Therefore this Noise Ordinance Amendment would not effect the implementation of the Habitat Loss Permit Ordinance.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
☐

NOT APPLICABLE/EXEMPT
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Discussion:

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Therefore this Noise Ordinance Amendment would not effect the implementation of the MSCP or BMO.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Therefore this Noise Ordinance Amendment would not effect the implementation of the Groundwater Ordinance.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>

Discussion:

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Therefore this Noise Ordinance Amendment would not effect the implementation of the RPO.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE <input checked="" type="checkbox"/>
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Discussion:

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Therefore this Noise Ordinance Amendment would not effect the implementation of the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Discussion:

The County of San Diego Noise Ordinance establishes sound level limits for various noise sources. Limits are specified depending on the zoning placed on a property (e.g., varying densities and intensities of residential, industrial and commercial zones). It is unlawful for any person to cause or allow the creation of any noise that exceeds the applicable limits of the Noise Ordinance at any point on or beyond the boundaries of the property on which the sound is produced. Furthermore, the Noise Ordinance allows the County to grant variances from the noise limitations, subject to terms and conditions intended to achieve compliance. Finally, the Noise Ordinance serves as an enforcement document and establishes noise level limits subject to code enforcement and procedural requirement for enforceability of said Ordinance.

The project proposes amendments to the County Noise Ordinance. The proposed Noise Ordinance amendment consists of a thorough update to the ordinance which will help to clarify regulations, improve readability and upgrade enforcement components available in the ordinance. Changes to existing standards including the addition/revision to the noise level limits for Specific Plan zoned areas, the allowance for the a 75 dB construction noise limit and the allowance for an eight hour average noise calculation for construction noise where no limit is currently specified. The Noise Ordinance Amendments will also establish additional noise property line limit standards using the maximum sound level measurement described below for impulsive and off-road vehicle noise sources.

The proposed Noise Ordinance amendments are also introducing a new measurement methodology to be used in assessing noise compliance. These noise generators will be measured based on a “maximum sound level” measurement or Lmax in addition to the Leq. This methodology allows the County to capture short duration events or episodes of high intensity that could not be adequately sampled with a one-hour average (Leq). The Lmax standard will be utilized in conjunction with the inclusion of sections pertaining to impulsive noises sources and regulation of noise from off-road recreational vehicles. The Lmax standard used for these noise sources is in addition to the required Leq standard. In other words these uses need to meet the average hourly requirement as well as the Lmax standard.

The proposed Noise Ordinance amendments will not have any impacts nor will they conflict with the County of San Diego Noise Element of the General Plan, or other applicable local, State, and Federal noise control regulations. The proposed Noise Ordinance amendments propose reasonable approaches in addressing noise issues applicable in these circumstances.